

DECLARATION OF MARK C. RATHBUN

I, MARK C. RATHBUN, hereby declare and state:

1. I am over 18 years of age and a resident of the State of California. I am the President of Religious Technology Center ("RTC"). I have personal knowledge of the facts set forth herein and, if called upon to do so, could and would competently testify thereto.

2. I have read the two documents entitled "Declaration of Vicki Aznaran", one of which is accompanied by a verification form dated August 25, 1990, the other of which is accompanied by a verification form dated September 25, 1990. I have also read the document labeled "Declaration of Richard N. Aznaran", which is accompanied by a verification form of that same date. I have personal knowledge of the matters discussed in those Declarations and know those documents to contain numerous and serious factual distortions and inaccuracies, several of which I have enumerated below.

3. In Vicki Aznaran's declaration of August 25, 1990, Vicki Aznaran makes numerous assertions which purport to support her contention that Mr. David Miscavige allegedly controls all of Scientology notwithstanding corporate boundaries. None of Ms. Aznaran's statements support this contention. Moreover, this declaration contains numerous false statements, including the following:

A) Ms. Aznaran claims that a Flag Banking Officer is posted within each Church of Scientology who is not answerable to the local Church corporation in which he serves, but who is answerable to an

1 "International Finance Dictator." Contrary to Ms.
2 Aznaran's assertions, each Church's Flag Banking
3 Officer is a member of the Board of Directors of the
4 Church corporation in which he serves and is an
5 officer of the corporation (normally the Treasurer).
6 Moreover, there is no post of "International Finance
7 Dictator" anywhere in the Church hierarchy and there
8 has not been since 1983.

9 B) Ms. Aznaran falsely claims the Mr. Miscavige
10 holds the numbers to secret overseas bank accounts
11 containing the funds from all Churches of
12 Scientology internationally. This is a complete
13 fiction. As President of RTC, I have personal
14 knowledge of how RTC's finances are handled and I
15 can state from personal knowledge that Mr.
16 Miscavige holds no numbers to secret bank accounts
17 and that no such secret bank accounts exist. Mr.
18 Miscavige is not even a signatory on any RTC or Church
19 account.

20 C) Ms. Aznaran's assertions concerning Mr.
21 Miscavige's life-style include the the absurd claim
22 that when Mr. Miscavige travels, expensive cars,
23 such as a Porsche, are rented for him and that Mr.
24 Miscavige ordered another Church staff member to
25 purchase a \$250,000 sound mixing board for his use.
26 These claims are completely ridiculous. I have
27 travelled on numerous trips with Mr. Miscavige
28 since 1981 (none of which were for pleasure) and Ms.

1 Aznaran's description of the travel arrangements are
2 false. Mr. Miscavige has never rented any
3 cars on such trips, let alone Porsches. Moreover, Mr.
4 Miscavige does not now and has never in the years I have
5 known him owned a sound mixing board.

6 4. At paragraph 4 of Vicki Aznaran's September 25, 1990
7 declaration, Vicki Aznaran asserts that David Miscavige forced
8 her to resign her positions as President and Director of RTC by
9 threatening to have "Church of Spiritual Trust" exercise an
10 option to remove the Trademarks and Service Marks of Dianetics
11 and Scientology from RTC. Ms. Aznaran also asserts that Mr.
12 Miscavige had no position with RTC at the time he allegedly
13 made these statements. Both statements are false. There is
14 not now, nor was there at the time of Vicki Aznaran's
15 resignation in 1987 an entity called "Church of Spiritual
16 Trust". Moreover, contrary to her declaration, Vicki Aznaran
17 testified in her deposition that at the time of her resignation
18 Mr. Miscavige was a Trustee of RTC. (Exhibit A to
19 Supplemental Memorandum, Deposition of Vicki Aznaran, p. 1075)
20 Vicki Aznaran also admitted in her deposition of July 1, 1988
21 that the problems that resulted in her resignation were her
22 having backed the wrong side in an unsuccessful bid on the part
23 of two individuals to improperly seize control of Church
24 management. (Exhibit A to Supplemental Memorandum, Deposition
25 of Vicki Aznaran, pp. 1093-1094)

26 5. Both Vicki and Richard Aznaran assert in their
27 declarations that the hiring and employment of ex-Guardian's
28 Office staff is routine at RTC and Rick Aznaran directly

1 asserts at para. 3A of his new declaration that staff with
2 unclean hands from improper Guardian's Office activities of
3 almost two decades ago are employed by RTC. This is completely
4 untrue. It is and has been long-standing ecclesiastical policy
5 of the Church of Scientology that former members of the
6 long-ago disbanded Guardian's Office who engaged in improper
7 activities are not and were not permitted to be hired by
8 Religious Technology Center or by any Church of Scientology.
9 Further, Rick Aznaran's unsupported assertions are completely
10 contradicted by Vicki Aznaran's July 1, 1988 deposition, in
11 which she testified that she was confronted by Mr. Miscavige
12 regarding her support of the hiring of former Guardian's Office
13 staff who had been involved in improper actions. She
14 acknowledged that Mr. Miscavige was "very, very upset about
15 that" (pg. 1080) and that he wanted her to "clean those people
16 out of RTC immediately" (pg. 1084). Moreover, she admitted
17 that she was not in agreement with handling those individuals
18 in that manner. This was a key factor in her downfall.
19 (Exhibit A to Supplemental Memorandum, Deposition of Vicki J.
20 Aznaran, pp. 1079-1084)

21 6. Vicki Aznaran's assertion in paragraph 6 and Richard
22 Aznaran's insinuation in paragraph 3F of their September 25,
23 1990 declarations regarding my capacity as an independent
24 decision-maker within my spheres of executive responsibility
25 are speculative, factually unsupportable ad hominem. Neither of
26 them speak from personal knowledge of these matters: Rick
27 Aznaran never had personal involvement with the legal
28 decision-making process and Vicki's awareness of such matters

1 was slight prior to her removal from post in 1987 and,
2 obviously, has been wholly absent for the more than three years
3 since that time. In fact, during the time Vicki Aznaran was
4 President of RTC, she was so weak and ineffective in handling
5 legal affairs that she would always conveniently find somewhere
6 else to be when matters of grave concern involving all
7 Scientology related entities required emergency conferences
8 among representatives of each. RTC was usually represented by
9 either Warren McShane or Jesse Prince.

10 7. I have been the President of Religious Technology
11 Center since Vicki Aznaran resigned in March, 1987. Prior to
12 this position I was employed by Author Services, Inc. (ASI)
13 as the Legal Executive. I held that position from April,
14 1984 until March, 1987. Prior to April, 1984, I was the Legal
15 Officer for Church of Scientology International (CSI), from its
16 inception in December, 1981 until April, 1984. From each of
17 these positions, and for each of these corporations, I have had
18 significant responsibilities and decision-making authority
19 concerning legal matters and, most particularly, litigation. I
20 am and have been entrusted with the authority to make
21 substantial decisions and to execute plans based on those
22 decisions on behalf of RTC. As President of RTC, I make
23 necessary decisions on a daily basis which are in keeping with
24 RTC's policies, and I keep the Board of Directors, including
25 its Chairman, apprised of the actions that I take.
26 Furthermore, my active and independent role in the legal
27 decision-making process is described in particular instances in
28 the Declaration of Earle Cooley, attached as Exhibit D (see

1 para. 5) to this Supplemental Memorandum.

2 8. Vicki Aznaran's new assertions concerning the release
3 agreement, indemnification provisions, and the loan extended to
4 the Aznarans at the time they left the Church, contained in
5 paragraphs 7 and 8 of her new declaration, are distortions of
6 the true circumstances surrounding those agreements and
7 provisions, as are Richard's assertions in paragraphs 3C, 3D
8 and 3E of his declaration. As stated both in my previous
9 declaration and by Vicki herself, Vicki was very concerned
10 about her potential liability in the Stansfield v. Starkey
11 litigation, and was grateful that the Church parties had agreed
12 to indemnify her and keep her informed of the progress of the
13 litigation. (Exhibit A to Supplemental Memorandum, Deposition
14 Vicki Aznaran, pp. 1119-1120) It was also the Aznarans who
15 originated that they would need assistance in making the
16 transition to non-Church life. It was for this reason that
17 they were given a loan of \$20,000 under very favorable
18 terms. They were natives of Dallas, Texas, and expressed a
19 desire to return to Dallas and begin a secular life there,
20 close to both of their families. The terms of the loan were
21 drawn up in a fashion intended to be most favorable to the
22 Aznarans, and to facilitate the Aznarans easily making their
23 interest payments and eventually paying the principal. I also
24 arranged for the sale of the Aznarans' horse, which aided the
25 Aznarans in their travel arrangements and provided them with
26 additional financial resources. In her deposition, Ms Aznaran
27 admitted that the money was intended to help her and her
28 husband get started up, that she was not forced to accept the

1 money and that she was grateful to have it. (Exhibit A to
2 Supplemental Memorandum, Deposition of Vicki Aznaran, pp.
3 1115-1117, 1122-1123)

4 9. Contrary to Ms. Aznaran's assertion in paragraph 7
5 that the Aznarans were "ordered" to remain in communication
6 with me, it was the Aznarans who requested that I stay in touch
7 with them and keep them apprised of the progress of
8 Stansfield v. Starkey. In fact, the Aznarans themselves
9 frequently contacted me in the year following their departure,
10 and sought my aid on a variety of subjects. For example,
11 within days of their departure, Richard called me and asked
12 that I obtain affidavits from Church lawyers and investigators
13 attesting to Richard's experience as a private investigator. I
14 told Richard that I would speak to the lawyers and
15 investigators he specified and would send the affidavits to
16 him. Richard Aznaran wrote me on April 20, 1987 giving me
17 specific instructions on how to fill out the affidavits and
18 enclosed copies of the blank affidavit forms. I replied to
19 Richard on May 2, 1987 and attached several signed work
20 affidavits for him.

21 10. The Aznarans informed me that they utilized both the
22 loan and the experience affidavits to establish their new
23 living arrangements when they moved to Dallas, Texas, including
24 the establishment of their investigative enterprise. This is
25 borne out by Vicki Aznaran's own testimony. (Exhibit A
26 to Supplemental Memorandum, Deposition of Vicki Aznaran, pp.
27 1115-1116, 1122-1123, 1185, 1226-1227)

28 11. Ms. Aznaran's assertion that Mr. Miscavige hid in a

1 motel during a trial in Riverside in the early 80's is
2 completely fabricated. There has never been a trial in
3 Riverside in a case involving any Church of Scientology, much
4 less the one referred to in Vicki Aznaran's declaration.
5 Equally false is Ms. Aznaran's claim at paragraph 10 that
6 Church of Scientology of California was the only party in the
7 Wollersheim v. Church of Scientology of California, et al
8 case. L. Ron Hubbard was a party to that case, whose
9 dismissal from the case was on appeal at the time of the 1986
10 trial, which was the reason that I participated in the trial in
11 that case from my position as Legal Executive of Mr. Hubbard's
12 literary agent, ASI. Ms. Aznaran was not involved in the trial
13 of the Wollersheim case and is not in a position to testify
14 how the case was tried.

15 12. The assertions of the Aznarans that Mr. Miscavige
16 deliberately avoids service of process (Vicki, para. 11;
17 Richard, para. 3G) are false. The Aznarans are simply not in
18 any position to state, from Dallas, Texas, the circumstances
19 under which Mr. Miscavige lives and works. I work with Mr.
20 Miscavige on a daily basis, and have observed his habits and
21 routines. These are precisely as I described in my declaration
22 which accompanied RTC's portion of the joint statement.

23 13. The foregoing paragraphs demonstrate that the
24 Aznarans are willing to submit self-serving declarations which
25 are demonstrably false. While this declaration has focused on
26 the false assertions which pertain most closely to the issues
27 before the Court, other assertions made by the Aznarans are
28 equally wild and fallacious. I have not endeavored to refute

1 such fictions as Mr. Miscavige's purported use of "someone to
2 taste the foods prepared for him" or that he is always
3 accompanied by security guards. Those assertions are false,
4 ludicrous and reveal the absurd lengths to which the Aznarans
5 will reach to substitute fiction for a true presentation of
6 facts relevant to issues presented to the Court.

7 I declare under penalty of perjury under the laws of
8 the United States of America that the foregoing is true and
9 correct.

10 Executed this 1st day of October, 1990, at Los Angeles,
11 California.


12 MARK C. RATHBUN
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